

Robert A. Julian (SBN 88469)
Cecily A. Dumas (SBN 111449)
BAKER & HOSTETLER LLP
1160 Battery Street, Suite 100
San Francisco, CA 94111
Telephone: 628.208.6434
Facsimile: 310.820.8859
Email: rjulian@bakerlaw.com
Email: cdumas@bakerlaw.com

Eric E. Sagerman (SBN 155496)
Lauren T. Attard (SBN 320898)
BAKER & HOSTETLER LLP
11601 Wilshire Boulevard
Suite 1400
Los Angeles, CA 90025
Telephone: 310.820.8800
Facsimile: 310.820.8859
Email: esagerman@bakerlaw.com
Email: lattard@bakerlaw.com

Counsel for Official Committee of Tort Claimants

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**EX PARTE MOTION OF THE
OFFICIAL COMMITTEE OF TORT
CLAIMANTS PURSUANT TO B.L.R.
9006-1 REQUESTING ORDER
SHORTENING TIME FOR HEARING
ON MOTION TO COMPEL
PRODUCTION OF PG&E BUSINESS
PLANS**

[No hearing requested]

1 The Official Committee of Tort Claimants (hereafter, the “**TCC**”) in the above-captioned
2 chapter 11 cases (the “**Chapter 11 Cases**”) of PG&E Corporation and Pacific Gas and Electric
3 Company (collectively, the “**Debtors**” or “**PG&E**”), hereby submits this Motion (the “**Motion to**
4 **Shorten**”), pursuant to Rule 9006-1 of the Bankruptcy Local Rules for the United States
5 Bankruptcy Court for the Northern District of California (the “**Bankruptcy Local Rules**”), for
6 entry of an order shortening time for a hearing on the TCC’s motion to compel production of PG&E
7 Business Plans (the “**TCC Motion**”). A proposed form of order granting the relief requested herein
8 is annexed hereto as **Exhibit A** (the “**Proposed Order**”).

9 **MEMORANDUM OF POINTS AND AUTHORITIES**

10 **I. JURISDICTION**

11 The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334,
12 the Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges, General Order 24
13 (N.D. Cal.), and Bankruptcy Local Rule 5011-1(a). This is a core proceeding pursuant to 28 U.S.C.
14 § 157(b). Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

15 **II. BASIS FOR RELIEF SOUGHT**

16 Pursuant to Bankruptcy Local Rule 9014-1(c)(2), a hearing on the TCC Motion requires at
17 least twenty-one (21) days’ notice of an opportunity for a hearing. Bankruptcy Local
18 Rule 9006-1(a) provides that, except as set forth therein, “approval of the Court is required to
19 enlarge or to shorten time to perform any act or file any paper pursuant to the Federal Rules of Civil
20 Procedures, the Bankruptcy Rules, or these Bankruptcy Local Rules.” B.L.R. 9006-1(a).

21 The Court’s approval is warranted here. The hearing on PG&E’s motion for the
22 Establishment of Wildfire Claims Estimations Procedures (“**Estimations Procedures**”) is set for
23 August 27, 2019 at 9:30 a.m. The bankruptcy case is proceeding quickly with Assembly Bill No.
24 1054 compelling a conclusion by June 30, 2020. The bar date for filing claims is just over two
25 months away. PG&E filed its *Supplemental Statement and Plan of Reorganization Timeline in*
26 *Support of Opposition to Motions to Terminate Exclusivity* [Dkt. No. 3515] (“**Reorganization**
27 **Timeline**”) on August 12, 2019. On August 16, 2019, the Court denied motions to terminate
28 PG&E’s plan exclusivity. The TCC has been seeking the documents identified in the TCC Motion

1 since March 8, 2019. The TCC Motion seeks documents directly relevant to the Estimations
2 Procedures and PG&E's Reorganization Timeline. The present urgency of those matters and the
3 accelerated pace of the case justify shortening time for the Motion.

4 Using the Court's 21-day notice period, the next available PG&E omnibus hearing date is
5 September 10, 2019. That hearing date would be after the hearing on the Estimations Procedures,
6 which would incentivize PG&E to continue to withhold the desired documents until after the critical
7 Estimations Procedures hearing on August 27, 2019. To this end, the TCC requests that notice be
8 shortened to permit the TCC Motion to be heard on August 27, 2019 with the Estimations
9 Procedures. The TCC requests that the Court set an appropriate objection deadline in conjunction
10 with the shortened time and proposes that an objection deadline of August 26, 2019 would provide
11 PG&E with adequate time to elect to simply produce the documents identified in the TCC Motion
12 and obviate the need for a hearing.

13 **III. NOTICE**

14 Notice of this Motion to Shorten will be provided to (i) the Debtors, c/o PG&E Corporation
15 and Pacific Gas and Electric Company, PO Box 770000, 77 Beale Street, San Francisco, CA 94105
16 (Attn: Janet Loduca, Esq.); (ii) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New
17 York 10153 (Attn: Stephen Karotkin, Esq., Jessica Liou, Esq., and Matthew Goren, Esq.), proposed
18 attorneys for the Debtors; (iii) Keller & Benvenuto LLP, 650 California Street, Suite 1900, San
19 Francisco, CA 94108 (Attn: Tobias Keller, Esq. and Jane Kim, Esq.), proposed attorneys for the
20 Debtors; (iv) Stroock & Stroock & Lavan LLP, 180 Maiden Lane, New York, NY 10038-4982
21 (Attn: Kristopher M. Hansen, Esq., Erez E. Gilad, Esq., and Matthew G. Garofalo, Esq.) and 2029
22 Century Park East, Los Angeles, CA 90067-3086 (Attn: Frank A. Merola, Esq.), as counsel for the
23 administrative agent under the Debtors' debtor-in-possession financing facility; (v) Davis Polk &
24 Wardwell LLP, 450 Lexington Avenue, New York, NY 10017 (Attn: Eli J. Vonnegut, Esq., David
25 Schiff, Esq., and Timothy Graulich, Esq.), as counsel for the collateral agent under the Debtors'
26 debtor-in-possession financing facility; (vi) Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285
27 Avenue of the Americas, New York, NY 10019-6064 (Attn: Alan W. Kornberg, Esq., Brian S.
28 Hermann, Esq., Walter R. Rieman, Esq., Sean A. Mitchell, Esq., and Neal P. Donnelly, Esq.), as

1 counsel to the California Public Utilities Commission; (vii) the Office of the United States Trustee
2 for Region 17, 450 Golden Gate Avenue, 5th Floor, Suite #05-0153, San Francisco, CA 94102
3 (Attn: James L. Snyder, Esq. and Timothy Laffredi, Esq.); (viii) U.S. Nuclear Regulatory
4 Commission, Washington, DC 20555-0001 (Attn: General Counsel); (ix) U.S. Department of
5 Justice, 1100 L Street, NW, Room 7106, Washington DC 20005 (Attn: Danielle A. Pham, Esq.,)
6 as counsel for United States on behalf of the Federal Energy Regulatory Commission; (x) Milbank
7 LLP, 55 Hudson Yards, New York, NY 10001-2163 (Attn: Dennis F. Dunne, Esq. and Sam A.
8 Khalil, Esq.) and 2029 Century Park East, 33rd Floor, Los Angeles, CA 90067 (Attn: Paul S.
9 Aronzon, Esq., Gregory A. Bray, Esq., and Thomas R. Kreller, Esq.), as counsel for the Official
10 Committee of Unsecured Creditors; and (xi) those persons who have formally appeared in these
11 Chapter 11 Cases and requested service pursuant to Bankruptcy Rule 2002. The TCC respectfully
12 submits that no further notice is required.

13 No previous request for the relief sought herein has been made by the TCC to this or any
14 other court.

15 **WHEREFORE**, the TCC respectfully requests entry of an order granting the Motion to
16 Shorten, and such other and further relief as the Court may deem just and appropriate.

17
18 Dated: August 20, 2019

19 BAKER & HOSTETLER LLP

20 By: /s/ Robert A. Julian
21 Robert A. Julian

22 *Counsel for The Official Committee of Tort*
23 *Claimants*
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